THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No. 26000 of 2005

DATED: 06.12.2005

Between:

T.Sree Rama Murthy

… PETITIONER

AND

Government of Andhra Pradesh and another.

… RESPONDENTS

ORDER:

The petitioner was accorded permission to open a Medical Stores in the premises of the Rangaraya Medical College, Kakinada, vide proceedings, dated 19.05.2000, issued by the 2nd respondent. On noticing that the petitioner was violating the conditions of such permission, the 2nd respondent cancelled the same straight away through order, dated 22.06.2000. This Court set aside that order by allowing W.P.No.11228 of 2000. Certain other proceedings also have taken place thereafter.

The 2nd respondent issued a show cause notice, dated 20.01.2004, to the petitioner, directing him to explain as to why the permission shall not be cancelled. It was indicated that the petitioner was undertaking construction,

contrary to the permission, and the place is needed for the College itself. The petitioner claims to have submitted his explanation on 11.02.2004. His grievance is that no orders have been passed thereon by the 2nd respondent so far, and at the same time, he is not permitted to conduct the business.

Heard the learned counsel for the petitioner and the learned Government Pleader for Medical, Health and Family Welfare.

As a result of the directions issued by this Court in Several proceedings, the 2nd respondent issued a show cause notice, dated 20.01.2004, to the petitioner. An explanation is said to have been submitted on 11.02.2004. The learned Government Pleader, on instructions, submits that the matter has been referred to the District Collector and thereafter to the Mandal Revenue Officer etc. Inasmuch as the permission was accorded by the 2nd respondent and it is he, who issued show cause notice, a decision in this regard needs to be taken by him. The matter cannot be kept in such an uncertain condition for years together.

Therefore, the Writ Petition is disposed of, directing the 2nd respondent to pass appropriate orders in pursuance of the show cause notice, dated 20.01.2004, issued by him, duly taking into account, the explanation submitted by the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner. There shall be no order as to costs.

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06.12.2005

Jsu